

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

William Bridge

Serial No.: Filed Herewith

Filed: March 15, 2004

For: METHOD AND APPARATUS FOR  
MANAGING DATA ACCESS AND  
STORAGE OF DATA LOCATED ON  
MULTIPLE STORAGE DEVICES

Group Art Unit: Not Yet Assigned

Examiner: Not Yet Assigned

## INFORMATION DISCLOSURE STATEMENT

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with 37 CFR §§ 1.97 and 1.98, the items identified in this Information Disclosure Statement ("IDS") are brought to the attention of the Office. The items are listed on the attached forms PTO/SB/08a and PTO/SB/08b. Copies of the items listed on the attached forms PTO/SB/08a and PTO/SB/08b are not supplied because they were previously cited by or submitted to the Patent Office in prior Application No. 10/008,347 filed on November 9, 2001, and relied upon in this application for an earlier filing date under 35 U.S.C. § 120. See 37 C.F.R. § 1.98(d).

The items identified in this IDS may or may not be "material" pursuant to 37 CFR § 1.56. The submission thereof by Applicants is not to be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR § 1.97(h)), or even qualifies as "prior art" under 35 USC § 102 with respect to this invention unless specifically designated by Applicants as such.

**INFORMATION DISCLOSURE STATEMENT FILING PROVISION:**

☒ This IDS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), that is (1) within three months of the filing date of the application, which is not a continued prosecution application filed under § 1.53(d) or (2) within three months of entry of the national stage as set forth in 37 CFR § 1.491; or (3) before the mailing of a first Office action on the merits; or (4) before the mailing of a first Office action after filing a request for continued examination under § 1.114. Thus, no fee is required.

☒ However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and charge the fee due under 37 CFR § 1.17(p) to the deposit account referenced below.

☐ However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and a statement under 37 CFR § 1.97(e) is included below, thus no fee is required.

☐ This IDS is being submitted under 37 CFR § 1.97(c), that is after mailing of a first Office Action on the merits, but before a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311.

☐ The fee due under 37 CFR § 1.17(p) is submitted herewith.

☐ A statement under 37 CFR § 1.97(e) is included below, thus no fee is required. In the event that this IDS is not received before a Final Action or a Notice of Allowance, then Applicant respectfully requests that the Office consider the filing of these papers to be submitted under 37 CFR § 1.97(d) and charge the fee due under 37 CFR § 1.17(p) to the deposit account below.

☐ This IDS is being submitted under 37 CFR § 1.97(d), that is after a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311, but before payment of the issue fee. A statement under 37 CFR § 1.97(e) is included below. The fee due under 37 CFR § 1.17(p) is submitted herewith.

☐ This IDS is being submitted under 37 CFR § 1.97(i), that is after a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311, but before payment of the issue fee.

**STATEMENT UNDER 37 CFR § 1.97(e):**

- ☐ Each item contained in this IDS was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.
- ☐ No item contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this statement after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this IDS.

**PAYMENT AND/OR AUTHORIZATION TO CHARGE FEES:**

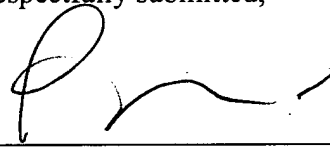
- ☐ A check in the amount of \_\_\_\_\_ is enclosed for the above fee(s).
- ☒ The Commissioner is authorized to charge the fee due under 37 CFR § 1.17(p) and to credit any overpayment and to charge any underpayment to Bingham McCutchen's Deposit Account No. 50-2518, referencing billing no. 7011323001, for any fees required by the filing of these papers.

Dated: \_\_\_\_\_

3/15/04

Respectfully submitted,

By: \_\_\_\_\_



Peter C. Mei  
Reg. No. 39,768

BINGHAM McCUTCHEN LLP  
Three Embarcadero, Suite 1800  
San Francisco, CA 94111-4067  
Telephone: (650) 849-4870  
Telefax: (650) 849-4800

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**Complete if Known**

<i>Application Number</i>	To Be Assigned
<i>Filing Date</i>	HEREWITH
<i>First Named Inventor</i>	William BRIDGE
<i>Art Unit</i>	To Be Assigned
<i>Examiner Name</i>	To Be Assigned
<i>Attorney Docket Number</i>	OIG011323001

*(Use as many sheets as necessary)*

Sheet	1	of	2
-------	---	----	---

## U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)			
	1.	US-5,287,459	02/1994	Gniewek	
	2.	US-5,559,764	09/1996	Chen et al.	
	3.	US-5,155,845	10/1992	Beal et al.	
	4.	US-5,388,108	02/07/1995	DeMoss et al.	
	5.	US- 5,469,443	11/21/1995	Saxena	
	6.	US- 5,790,774	08/04/1998	Sarkozy	
	7.	US- 5,862,158	01/19/1999	Baylor et al.	
	8.	US- 5,893,919	04/13/1999	Sarkozy et al.	
	9.	US- 5,987,566	11/16/1999	Vishlitzky et al.	
	10.	US- 6,047,294	04/04/2000	Deshayes et al.	
	11.	US- 6,067,199	05/23/2000	Blumenau	
	12.	US- 6,138,125	10/24/2000	DeMoss	
	13.	US- 6,195,761 B1	02/27/2001	Kedem	
	14.	US- 6,223,252 B1	04/24/01	Bandera et al.	
	15.	US- 6,233,696 B1	05/15/2001	Kedem	
	16.	US- 6,405,284 B1	06/11/2002	Bridge	
	17.	US- 5,524,204	06/1996	Verdoom, Jr.	
	18.	US- 5,574,851	11/1996	Rathunde	
	19.	US- 5,615,352	03/1997	Jacobson et al.	
	20.	US- 5,875,456	02/1999	Stallmo et al.	
	21.	US- 6,000,010	12/1999	Legg	
	22.	US- 6,035,373	03/2000	Iwata	
	23.	US-6,058,454	05/2000	Gerlach et al.	
	24.	US-6,092,169	07/2000	Murthy et al.	

## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)				

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.<sup>1</sup> Applicant's unique citation designation number (optional).<sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

***If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.***

Substitute for form 1449B/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 2 of 2

**Complete if Known**

Application Number	To Be Assigned
Filing Date	HEREWITH
First Named Inventor	William BRIDGE
Art Unit	To Be Assigned
Examiner Name	To Be Assigned
Attorney Docket Number	OI7011323001

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	25.	Verita Software Corporation, Veritas Volume Manager (VxVM) User's Guide, Release 2.3, 1996	
	26.	Digital Equipment Corporation, Logical Storage Manager, March 1996	
	27.	Digital Equipment Corporation, Introduction to the Logical Storage Manager, pp. 1-23, March 1996	
	28.	Digital Equipment Corporation, LSM Configurations, pp. 1-12, March 1996	
	29.	Digital Equipment Corporation, Setting Up LSM, pp. 1-11, March 1996	
	30.	Digital Equipment Corporation, Encapsulating Existing User Data to LSM Volumes, pp. 1-17, March 1996	
	31.	Digital Equipment Corporation, LSM Root and Swap Disk Mirroring, pp. 1-8, March 1996	

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.